

DETAILED ACTION

1. In the Amendment filed on January 19, 2010, Applicants amended claims 1, 5-6, 8, 10-15, and 17-20, and canceled claims 9 and 16. Accordingly, claims 1-8, 10-15, and 17-20 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 6-7, 15, and 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In regard to claims 6-7, 15, and 17-20, the claims define a computer readable storage medium embodying functional descriptive material (i.e., code and/or a program). Moreover, the scope of the presently claimed invention encompasses products not falling within one of the four statutory categories of invention. For example, the computer readable storage medium of claims 6-7, 15, and 17-20 could be a signal incorporating a data structure within a carrier wave.

The Examiner suggests amending the claims to recite “[a] non-transitory computer readable storage medium . . .”

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 5-8, 10, 12-15, 17, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter, AAPA) in view of U.S. Patent No. 4,889,439 to Cook et al. (hereinafter, Cook), as evidenced by Canon Easy-WebPrint user Manual.

In regard to independent claim 5, AAPA discloses a computer implemented method of printing a multi-page document sourced from a computer network (AAPA, pg. 2, lines 13-16**), said method comprising the steps of:**

providing a zoom property attribute to scale the multi-page document (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box**);

scaling the multi-page document according to the zoom property attribute (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box, would be scaled when user selects a content size**).

printing the scaled multi-page document (**AAPA, pg. 2, line 14, printing**).

AAPA does not disclose determining whether an amount of content on a last page of the scaled multi-page document is less than a predetermined amount; and

further scaling the scaled multi-page document down to fit to a nearest whole page when the amount of content is less than the predetermined amount.

Cook, however, discloses determining whether an amount of content on a last page of a scaled multi-page document is less than a predetermined amount (**Cook, col. 1, lines 57-66, determining the line number of a paragraph that will spill over to the next page is essentially determining how much content is on a next page (i.e., will spill over to the next page)**). If there are only two pages being typed, then the next page would be the last page. The predetermined amount is the third to last line of the paragraph); and

scaling the scaled multi-page document down to fit to a nearest whole page when the amount of content is less than the predetermined amount (**Cook, col. 1, lines 57-66, if the line is the next to last line (i.e., less than the third to the last line), the document places the line on the current page to avoid widow lines on the next page, the Examiner reads placing the line on the current page past the border as scaling the document**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Cook with the teachings of AAPA in order to increase the aesthetics of a finished document (**Cook, col. 1, lines 44-46**).

In regard to independent claims 8 and 15, AAPA discloses a computer implemented method of printing a document sourced from a computer network and spanning a plurality of printable pages (**AAPA, pg. 2, lines 13-16**), comprising the step of:

printing the content (**AAPA, pg. 2, line 14, printing**).

AAPA does not disclose determining whether an amount of content on a last page of the printable pages is less than a predetermined amount; and when the determined amount of content is less than the predetermined amount, (i) determining a user preference for one of (i) scaling the content to fit the nearest whole page, which is the plurality of printable pages less one, and (ii) printing the plurality of pages;

(ii) where the user preference is for scaling, providing a zoom property attribute to scale the content down to fit the content to the nearest whole page and scaling the content according to the zoom property attribute.

AAPA, however, discloses (i) determining a user preference for one of (i) scaling the content to fit the nearest whole page, which is the plurality of printable pages less one (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box, would be scaled when user selects a content size**), and (ii) printing the plurality of pages (**AAPA, pg. 2, line 14, printing**);

(ii) where the user preference is for scaling, providing a zoom property attribute to scale the content down to fit the content to the nearest whole page and scaling the

content according to the zoom property attribute (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box**).

Moreover, Cook discloses determining whether an amount of content on a last page of said printable pages is less than a predetermined amount (**Cook, col. 1, lines 57-66, determining the line number of a paragraph that will spill over to the next page is essentially determining how much content is on a next page (i.e., will spill over to the next page)**). If there are only two pages being typed, then the next page would be the last page. The predetermined amount is the third to last line of the paragraph);

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Cook with the teachings of AAPA in order to increase the aesthetics of a finished document (**Cook, col. 1, lines 44-46**).

The combination of AAPA and Cook would result in the limitations of claims 8 and 15.

In regard to claim 1, which depends from claims 5, AAPA discloses displaying a preview window which shows the pages in the scaled multi-page document (**Canon Easy-WebPrint user Manual, Fig. 1**);

determining a user selection, within the preview window, for the pages of the scaled multi-page document (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box, and/or “Print” selection**); and

printing a subset of the pages according to the user selection (**AAPA, pg. 2, line 14, printing**).

In regard to claim 2, which depends from claim 1, AAPA discloses wherein the user preference is determined for each page (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box, and/or “Print” selection would be determined for each page**).

In regard to independent claim 6, independent claim 6 contains the same subject matter as the combination of independent claim 5 and dependent claim 1, and is therefore rejected for the same reasons.

In regard to claim 7, which depends from claim 6, AAPA discloses code for determining a user selection, within the preview window, for the pages of the scaled document (**AAPA, pg. 2, lines 13-16, and Canon Easy-WebPrint user Manual, Fig. 1, “Content Size” box, and/or “Print” selection**); and code for printing a subset of the pages according to the user selection (**AAPA, pg. 2, line 14, printing**).

In regard to claim 10, which depends from claim 8, AAPA discloses wherein said determining comprises presenting a dialog box to the user within a graphical user interface whereby the user can select one of scaling the content to fit the nearest whole

page or printing said plurality of pages (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, user can select print with out scaling document, or user can scale the document using the “Content Size” box disclosed in the GUI**),

 said method being performed in conjunction with a graphical user interface arranged to display both a print preview of said document spanning said plurality of pages and a print preview of said document scaled to said nearest whole page (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, the GUI is of a preview window that shows a preview of an image. The default image previewed is not scaled (see “Content Size” box which is at 100%). If Content size is adjusted, the preview image would be adjusted. Accordingly, the GUI displays both a print preview of said document spanning said plurality of pages and a print preview of said document scaled to said nearest whole page**).

In regard to claim 12, which depends from claim 8, neither AAPA nor Cook disclose wherein the predetermined amount is user adjustable, said method further comprising a step of presenting a graphical user interface including a value of the predetermined amount and detecting a user's change to the amount made via the graphical user interface.

 However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify AAPA wherein said predetermined amount is user adjustable, said method further comprising the step of presenting a graphical user

interface including a value of said predetermined amount and detecting a user's change to said amount made via said graphical user interface since it has been held that the provision of adjustability, where needed, involves only routine skill in the art. In re Stevens, 101 USPQ 284 (CCPA 1954).

In regard to claim 13, which depends from claim 12, the combination of AAPA and Cook disclose wherein the graphical user interface comprises at least one of a numerical representation of the value and a user manipulable graphical representation of the value (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, and Cook, col. 1, lines 57-66, line number is numerical representation of said value**).

In regard to claim 14, which depends from claim 13, neither AAPA nor Cook disclose representing the predetermined amount within a bounding area in a graphical user interface and detecting manipulation of the bounding area by the user, the manipulation thereby at least adjusting a scale factor for the scaling.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify AAPA to represent said predetermined amount within a bounding area in a graphical user interface and detecting manipulation of the bounding area by the user, the manipulation thereby at least adjusting a scale factor for the scaling since it was known in the art that such modification provides a user a quick and easy way for a user to see the results of his/her adjustment.

In regard to claim 17, which depends from claim 15, AAPA discloses wherein the computer network comprises the World Wide Web and said printing application program is configured to interact with a web browser application program having an associated graphical user interface (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, the GUI is integrated into in Internet Explorer browser (see top left of GUI disclosed in Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1)**),

 said printing application program further comprising code arranged to display via the graphical user interface both a print preview of the document spanning the plurality of pages and a print preview of the document scaled to the nearest whole page (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, the GUI is of a preview window that shows a preview of an image. The default image previewed is not scaled (see “Content Size” box which is at 100%). If Content size is adjusted, the preview image would be adjusted. Accordingly, the GUI displays both a print preview of said document spanning said plurality of pages and a print preview of said document scaled to the nearest whole page**).

In regard to claim 19, which depends from claim 17, AAPA discloses code for presenting a subsidiary graphical user interface box within the graphical user interface of the web browser application whereby a user thereof can select one of scaling the

content to fit the nearest whole page or printing the plurality of pages (**Canon Easy-WebPrint user Manual, labeled by Examiner as pg. 1, a GUI is shown, the subsidiary graphical user interface box is the toolbar shown in the GUI, the toolbar allows for scaling the content (“Content Size” box) and printing the pages (“Print” button)**).

In regard to claim 20, which depends from claim 19, neither AAPA nor Cook discloses wherein the subsidiary graphical user interface comprises a dialog box including a user manipulable graphical representation of predetermined amount.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify AAPA so that said subsidiary graphical user interface comprises a dialog box including a user manipulable graphical representation of predetermined amount since it was known in the art that such modification provides a user a quick and easy way for a user to see the results of his/her adjustment.

6. Claims 3-4, 11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Cook, as evidenced by Canon Easy-WebPrint user Manual, and further in view of U.S. Patent No. 6,954,282 B2 to Miyamoto et al. (hereinafter, Miyamoto).

In regard to claim 3 which depends from claim 1, Neither AAPA nor Cook discloses wherein the user preference is determined by using a checkbox.

Miyamoto, however, discloses wherein the user preference is determined by using a checkbox (**Miyamoto, Fig. 6, item 13, and col. 4, lines 46-56**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Miyamoto with the teachings of AAPA and Cook to increase user functionality.

In regard to claim 4, which depends from claim 3, Miyamoto discloses wherein the checkbox is in a vicinity of the previewed pages (**Miyamoto, Fig. 6, item 13, and col. 4, lines 46-56**).

In regard to claims 11 and 18, which depend from claims 10 and 17, respectively, Miyamoto discloses a step of detecting a user selection of one of the print previews and printing the selected print preview (**Miyamoto, Fig. 6, item 13, and col. 4, lines 46-56, a subset of the images are selected for printing, when the user selects the print button, detecting a user selection of one of said print previews and printing the selected print preview would be required**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Miyamoto with the teachings of AAPA and Cook to increase user functionality.

Response to Arguments

7. Applicants' arguments with respect to claims 1-20 have been carefully considered but are not persuasive.

In regard to Applicants' arguments of the rejection of claims 1-20, the Examiner thanks the Applicants for their detailed explanation of the instant application, as well as their interpretation of Cook.

Applicants essentially argue that Applicants' invention "scales the multi-page document . . ." Amendment, pg. 11. Applicants further argue that this is not taught by Cook.

The Examiner, however, respectfully disagrees. As recited in Applicants' claims Cook discloses determining whether an amount of content on a last page of a scaled multi-page document is less than a predetermined amount and scaling the scaled multi-page document down to fit to a nearest whole page when the amount of content is less than the predetermined amount.

For example, in Cook at, for example, col. 1, lines 57-66, Cook determines the line number of a paragraph that will spill over to the next page. This is essentially determining how much content is on a next page (i.e., will spill over to the next page). Moreover, if there are only two pages being typed, then the next page would be the last page.

Still further, the predetermined amount as recited in Applicants' claims is the third to last line of the paragraph as disclosed in Cook. See Cook, col. 1, lines 57-66. In

Cook, if the line is the next to last line (i.e., less than the third to the last line), the document places the line on the current page to avoid widow lines on the next page, the Examiner reads placing the line on the current page past the border as scaling the document.

Conclusion

8. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC A. RUST whose telephone number is (571)-270-3380. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4380.

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04/12/2010

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